

REMARKS/ARGUMENTS

Reconsideration of the above-identified application in view of the present amendment is respectfully requested. Claims 1-9 are pending. Claims 2 and 7 are amended, and claim 9 is added. Claim 7 is amended to change "its" to "the" for better form. Claim 7 is not amended to further distinguish from the prior art.

Applicant appreciates the allowance of claim 2 if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. Accordingly, claim 2 has been amended to include all of the limitations of the base claim and intervening claims. Therefore, claim 2 is allowable.

Claims 1 and 3-8 stand rejected under 35 U.S.C. 102(e) as being anticipated by Peter. Claim 1 is amended to recite that the carrier by a first linear movement tensioning the energy storing unit and by a second linear movement releasing the locking element. Peter does not disclose or suggest a carrier by a first linear movement tensioning the energy storing unit and by a second linear movement releasing the locking element. Further, Peter does not disclose or suggest a carrier which is movable in a linear manner by the electromotor and capable of being coupled selectively to the energy storing unit. By contrast, Peter discloses a second locking disc 36 that rotates to lift the locking pawl off from a stop of the first locking disc 34 (see column 3, lines 25-35) and releases the compression spring 12. To tension the compression spring 12,

the electromotor causes the rotation or pivoting of toothed belt 40 , toothed wheels 42, 26, and 30, locking discs 34, 46, and pivotal arms 18, 20 of the crank mechanism 16. Springs 52 are also tensioned by rotation of the locking disc 36. Peter fails to disclose any carrier that performs a linear movement. Therefore, claim 1 is allowable. Claims 3 and 8 depend from claim 1 and are therefore allowable as depending from an allowable claim and for the specific features recited therein.

Claim 4, which depends on claim 3, should be allowed for the same reasons as claim 1 and also for the additional features that the energy storing unit comprises a spiral spring (18) and a coupling element (20) coupled non-rotatably to the bearing shaft (22), the spiral spring (18) being fastened by one end to the housing (12) and by the other end to the coupling element (20). Peter does not disclose or suggest these features. By contrast, both springs 12, 52 of Peter are coil springs rather than spiral springs as claimed by claim 4.

Further, the spring 52 of Peter is not fastened by one end to a housing and by the other end to a coupling element as claimed in claim 4. Rather, the spring 52 of Peter is arranged between protrusion 46a of the first locking disc 34 and an edge of opening 48b of the second locking disc 36, which is not part of the housing of the drive (see column 3, lines 25-35). Therefore, in view of the above-mentioned reasons, claim 4 is allowable.

Claim 5, which depends on claim 3, should be allowed for the same reasons as claim 3 and also for the additional

feature that for tensioning the energy storing unit, the carrier (26) can be brought into engagement with a swivellable lever (28), which is coupled non-rotatably to the bearing shaft (22). Peter does not disclose or suggest a carrier engaging a lever coupled non-rotatably to the bearing shaft. Therefore, claim 5 is allowable.

Claim 6, which depends on claim 5, should be allowed for the same reasons as claim 3 and also for the additional feature that the locking element is a locking pawl (30) supported on the housing (12), the locking pawl in a rest position engaging and securing the lever (28). Peter does not disclose or suggest these features. In particular, the locking pawl (30) of Peter neither engages nor secures a lever. Therefore, claim 6 is allowable.

Claim 7, which depends on claim 6, should be allowed for the same reasons as claim 6 and also for the additional feature that the locking pawl (30) in the rest position rests on the carrier (26). Peter does not disclose or suggest that the locking pawl rest on a carrier. Therefore, claim 7 is allowable.

New claim 9, which depends from claim 4, should be allowed for the same reason as claim 4 and also for the additional feature that one end of said spiral spring (18) that is fastened to said housing (12) is located radially inward with respect to the rotational axis of the spiral spring (18) from said other end of said spiral spring (18) that is fastened to the coupling element (20). Peter does not

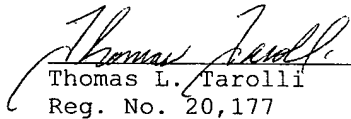
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disclose or suggest this feature. Therefore, claim 9 is allowable.

In view of the foregoing, it is respectfully submitted that the above-identified application is in condition for allowance, and allowance of the above-identified application is respectfully requested.

Please charge any deficiency or credit any overpayment in the fees for this amendment to our Deposit Account No. 20-0090.

Respectfully submitted,


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